SPEECH

OF

HON. JAMES MEACHAM, OF VERMONT,

IN THE HOUSE OF REPRESENTATIVES, MAY 14, 1850,

In Committee of the Whole on the state of the Union, on Mr. McCLERNAND'S *Bill relating to California.*

1810 - 1850

Mr. MEACHAM said:

Mr. CHAIRMAN: The bill before us proposes to admit California, to erect territorial governments for Utah and New Mexico, and, by the purchase of the claims of Texas, to settle the boundaries between that State and New Mexico. I propose to discuss that bill. It is a practical subject. Whoever consents to take part in the present discussion, and scorns to repeat the arguments of others, must be content with the critic's reputation, of having been at a feast of learning and stolen the scraps.

It is surprising to see the efforts on the other side of the House to make political capital out of the pending controversy. The gentleman who has last closed [Mr. SAVAGE] is the most zealous of the number. They seize the floor, and rush forward as if to announce a new discovery. With all the earnestness of the philosopher rushing from the bath, they cry "Eureka! Eureka!"—*I have found it! I have found it!* Found what, sir? Why, have found, that in the last presidential canvass the friends of General Taylor used different motives in different sections of the Union, to aid his election. If granted, is there anything new in that? Has not the same been true in every election since the time of President Monroe? Was not that true of the friends of Adams and Clay, Crawford and Jackson, and the successor of Jackson? Take any subject that had been prominent before the country, turn it any side up, or either end up—turn it inside out, or outside in, and on ever face, you would find either a vote or speech of Mr. Van Buren. Sectional motives were plied in the election of Gen. Harrison. The friends of Mr. Polk had more than one—they had Texas, the tariff, and the Northwestern boundary. They had a motive for the torrid, the temperate, and the frigid zone up to 54° 40'. We can come nearer home to those who are waging this war for political gain. Go up to the gallery of the Patent Office, and in a case hard by the camp-chest of Washington, you will see a form having two heads—one looking north and the other south. I will not vouch for the chronology which asserts that it came into life on the night of the last Baltimore Convention; showing that nature, even in her lowest works, sympathized with the sublime production of the day, that came forth upon the stage with one life written for the face that looked northward, and another for the face that looked southward. I do not bring forward these things as charges against the distinguished men to whom they refer. Such motives may be used by the friends of a candidate without any just accusation of duplicity against the candidate himself. But I do bring them for a purpose they serve, to show the gentleman, that if he courts a contest of this kind, there may be blows to take, as well as blows to give.

These things are not to my purpose or my taste. I have regretted to see men showering down upon this House the relics of old partisan sectional stump speeches, only that they might trickle back to the great ocean, and be taken up and poured out on some after Congress in a more furious deluge. It is for our shame that we have wasted so much time in squabbling over party politics and hurling provoking sectional taunts, while the sublimest spectacle in the history of the world is passing before us.

This discussion has often recalled a description given by Livy of a Roman battle-field, where the combatants, shrouded in a temporary mist, were so hotly engaged in the contest, that they heeded not a violent earthquake which was shaking their cities, changing the course of their rivers, and upheaving the foundation of the mountains. The Spaniard was on the shores of the Pacific an hundred years before Smith landed at Jamestown, or the Pilgrim trod the rock of Plymouth. Since that time, the Saxon race has crossed and conquered a continent. They have reached the shore, and in three years done more for mankind than the Spaniard had done in three centuries. They have not, like Cortes and Pizaro, seized the golden stores,

and fled from the country, leaving the marks of their desolation in smouldering villages and a slaughtered people. They have settled down in that country as their home. They have shown their purpose and their wisdom, in framing and adopting, as their own, one of the noblest State constitutions ever formed by human hands. With that constitution they appear before us, and ask for admission. Relying on the practice of this Government, on the plighted faith of a treaty, and on promises made before the conquest, they demand a place in this Union. Why are they not admitted? Their proceedings are charged as irregular: Congress has given them no power to form a State government—they have had no census. Grant it; but it is shown that they are in the line of safe precedents, by acting as a majority of the seventeen new States have acted. It was proved, beyond controversy, in the Senate yesterday, by Mr. CLAY, that they have a population entitling them to two Representatives. It is charged that foreigners voted in their elections. Grant that, too. How was it in Michigan? Foreigners were marched to the ballot-box, in Indian file, and deposited votes which they could not write, or read, or understand, when spoken. The convention, that gave assent to the conditions of admission, was not called by legal authority, but by the chairman of a Democratic State Committee. Not one-third of the people of that State ever assented to the terms of admission. I had prepared myself to discuss the whole question, but others more fortunate in gaining the floor, have brought out the main facts. I do not propose to repeat them. I have no disposition to turn over the old kaleidoscope to get a new reflection from the same bits of broken glass. I consider the objections as really given up. The gentleman from Georgia, across the way, [Mr. WELLBORN,] whose spirit we all admired, and I wish all might have imitated, proposed to admit California with her present constitution, restricting her southern boundary to 36′ 30° north latitude. Was there any more irregularity in the want of congressional action, or in want of a census, or in votes of foreign population south of that line, than there was north of it? If not, then that offer surrenders the whole question, on the ground of irregularity. Almost every southern speaker has consented to give up his objections, provided territorial governments are given to Utah and New Mexico without the proviso. What does that prove? One of two things, most certainly: either that there is no real objection, or else, that it stands on such slippery morality, that it can be moved for a fair price. Every one can have his choice in the horns of that dilemma.

But when you have given up all controversy about California, why link it with others, many of them old and offensive, about which there is dispute? Why bind the carcass to the living man? I have a right to a vote on California as a distinct measure. I have a right to put myself and my constituents on the record in her favor. No man can justly deprive me of that right by compelling me to vote against California because you have united it with other hostile measures in a huckstering compromise. Why are all the measures to be settled from one section? We have measures at the North in which we feel a strong interest. We wish a change from the tariff policy of 1846. The wool-growing and manufacturing interests, and the iron interest, are all staggering on the verge of ruin; they are in a state of siege, looking, as they have a right to look, for the Government to come to the rescue. Many of the manufacturers of the North have struggled against adverse fortune without a dividend since the passage of the tariff of 1846. Intelligence has just reached us that in one village a thousand operatives are thrown out of employ in a single day; and that in three months, probably more than ten thousand must share the same fate in New England. In these circumstances we are tortured by this perpetual delay. As a northern man, I feel mortified that five months of the session are now passed and the Committee on Manufactures have not had their first meeting. We feel anxious that something should be done by establishing an agricultural bureau to aid the farmers, who constitute two-thirds of the people of this nation. The Government has worked long enough for the benefit of politicians and placemen; it is time that something was done for the people themselves. We wish to see improvements in the rivers and harbors in all parts of the land, a measure that was thwarted by an Executive veto. Now, suppose we insist on inserting in a compromise all these measures for commerce and agriculture and manufactures, and declare the one shall not pass without the rest, California will appear with a tail as long and ominous as the tail of a comet, portending war and pestilence to the land. Why are sectional interests linked with her? Is it not a confession that they cannot be risked on their own merits—that they cannot go alone, and therefore they must come crouching along under the wing of California? The splendid vessel, rigged and manned on the distant shore, starts on her voyage; she doubles the cape; at length the signal announces that she has reached the offing. The masses of people, roused and joyous at the tidings, throng the beach to witness her advent. The cry arises, why does she delay her coming? The only an-

swer that can be given is, that there is a bantering process going on in the commercial divan. Each one wishes to profit by her coming. She must tow in his packet, or his sooty whaler, or junk, or fishing smack. At length it is gravely decided that she must put out to sea again, or come dragging on behind her all the old, crazy, crippled, water-logged craft on all the coast.

The second proposition of this bill is to erect governments for Utah and New Mexico. I object to it, because it excludes the ordinance of 1787. Vermont was the first to exclude slavery from her borders. She was the first to take the position now held by the free States in regard to slavery in the territories. On November 11, 1819, she passed this resolution:

IN GENERAL ASSEMBLY, *Nov.* 11, 1819.

The General Assembly of the State of Vermont view with deep concern the attempt to introduce slavery into the territories of the United States, and to legalize it in States to be admitted into the Union. They regard it as a measure manifestly tending to increase and perpetuate an evil of no ordinary magnitude and danger; of magnitude, as it deprives a portion of mankind of those privileges which republican principle guaranties to all; of danger, as it may, and that possibly at no distant period, subject the master to the vengeance of the slave; and, as it will retain the physical force of the slaveholding States for self-preservation, when it may be most needed for national effort or defence. They regard it as tending to increase the number of slaves; as the extending their territories, and increasing their demand and value, will encourage the violation of all laws made to prohibit their importation; and as tending to perpetuate slavery, by adding the influence and power of States to be formed within our territories, which eventually may constitute a majority of the Union.

They do not perceive that the plea of necessity, on which the existence of slavery can alone be palliated, will extend to the territories of the United States. They cannot doubt that the powers of Congress are adequate to the effective prohibition of the further introduction of slavery, that they have the supreme power of legislation over the territories for all purposes of national concern, and that they are not bound to assent to the admission of any State into the Union, unless upon such conditions as shall be consistent with the general welfare.

The General Assembly do therefore resolve, that our Senators be instructed, and our Representatives in Congress be requested, to use their influence to prohibit the introduction of slavery into the territories of the United States, and to prevent its being legalized in any State hereafter to be admitted into the Union.

She put her reasons on the record, that slavery is wrong in itself—that it tends to weaken the national strength—that it cannot be tolerated on the plea of necessity—and that Congress has the constitutional power to prohibit it. These are her sentiments now. The doctrine that controverts them is a modern doctrine, affirming that men may go to any territory of the United States, carrying with them all that is held as property in their several States. There is a remarkable uniformity in the utterance of that doctrine. Look through the long debates in both houses of Congress, and you see it always in the same stereotyped form. We should suppose that as a mere matter of taste, for the sake of novelty, it would sometimes be varied; but it still holds the same immutable formula. The reason is plain—change the expression and you kill the doctrine. Say that you have a right to carry your local laws into the territories, and you make an equivalent expression that every lawyer will drop like hot iron. It is not true as to any State, north or south. There are fifty men in Vermont who own a bank, with a capital of an hundred thousand dollars. They hold and manage their property by local laws of the State. They now propose to take that bank and migrate to California, where the law prohibits banking, or to a territory where there are no laws on the subject. They propose to hold and manage their property in their new residence just as they have done in their old residence. There is not a country justice in all the land so green that he would not laugh in their faces.

Why was there a constitutional and legal provision for the recapture of fugitive slaves? If they are property under the general law of the land; those provisions are needless. Their adoption and the present demand for their execution, is a confession that slaves are held as property by local laws, and cannot be carried beyond the jurisdiction of that law. A slave escapes and makes his way to Canada; in your stables is a horse that has been fed and groomed by that negro; he snaps his tether and follows over the same road to the same place. You can go and take the one, but must leave the other. Why is this so? Because the one is, and the other is not, held as property by the common law of the world. Take a slave and cross Mason and Dixon's line. The moment you have passed that boundary, he ceases to be property. You are still in the Union, and under the shield of the Constitution. Why can you not still hold your property? Because the power of your local law is exhausted. You have gone beyond its limit. As a reasoning man, tell me the difference between facing northward and westward, when you cross the line of demarkation for local slaveholding law.

The sentiment of Vermont is sustained by southern authority. It is found in the celebrated Mississippi case, Groves *vs.* Slaughter, tried in the Supreme Court of the United States, January, 1841. That case had reference to the inter-State slave trade. In the argument of it, the Hon. R. J. Walker assumed that Congress had no power to regulate the traffic in slaves, because they are

not property but persons. They are not merchandise, subject to the general commercial regulations, because they are not recognized as property out of the State where they are held. "It was 'commerce in merchandise, regarded as such by all 'the States, and not commerce in persons, that was 'designed to be regulated by Congress. Commerce 'in persons, if it may be so called, was not in-'tended to be regulated by Congress, because it 'was peculiar and local, and not national."—*Appendix to Peters's Reports, vol.* 15, *p.* 53.

If that doctrine be true, it is because slaves are property by local, and not by general law. That is the sentiment of Vermont. It is not new. It is older than the thunder of Winthrop, or Webster, or Wilmot. The old battery, whence it originated, is still sound, and sends forth its annual charges. I believe it has been found easier to pervert than to answer it. It was declared thirty years since. In that time, five new slave States have been admitted. She has remonstrated against them all, and most earnestly against the last. But they have been admitted by the constituted authority, and she has submitted. A whole generation has come and gone since that was proclaimed. It was the utterance of honest sentiment, and had no reference to political effect, the Senatorial sneers of New Hampshire to the contrary notwithstanding. Recent events lead us to suppose that her sister States do not accuse Vermont of putting her light under a bushel, or smothering her sentiments in her archives. She does not spring upon you with a new principle, after the territories were acquired. You knew beforehand that if that territory was acquired, Vermont had a lien upon it for freedom. You took it with that mortgage. She is not prompted by the flashy and flippant zeal of a new political convert, but by long-settled and abiding principle. Her choice, most unquestionably, is governments for the territories with the proviso; that was first presented for adoption. If that cannot be secured, there is as little doubt that she will *sustain* the plan of the President. She regards the plan as originating in patriotic motives; and she esteems its author as one of the most impartial, and noble-minded, and national-minded patriots that has trod the presidential platform since the organization of the Government. But she can consent to no plan, to no action or non-action, and to no compromise that does not give positive and permanent security for freedom in the territories. You cannot change that purpose. You may as well attempt to unsettle the foundations of her everlasting mountains.

The third proposition of this bill is to purchase the claim of Texas to the disputed territory between her and New Mexico. It was amusing t see the manner in which that matter first cam before the Senate. A bill was reported for th admission of California, and for territorial gover ments for Utah and New Mexico. For these th committee were responsible; and then there cam trotting into the camp a loose unbridled colt tha no man would claim and no man would own, proposal to purchase for a blank sum the claim o Texas. The author of this bill, with a bolder hand has caught and harnessed that colt; whether it wi add strength to the team, time alone can determin He has at least fixed the price; he proposes to pa ten millions of dollars. I suppose it is alread irrevocably ordained that we and our children, an our children's children, are to be taxed for Texas I trust that, as free agents, we may have a voice i determining whether that burden shall be increased Many words have been wasted to show wh is responsible for the annexation of Texas, an the evils that have flowed from it. It is easil settled; for the facts are recent, and any intelligen man can relate them without a reference to docu ments. I ask your attention to that point, and do so with no design of gathering materials fo reproaching any man or party. "I speak wit the freedom of history and without offence." I April, 1844, President Tyler sent to the Senate treaty of annexation, which was rejected by a vot of 16 to 35, but a single northern Senator, Mr Woodbury, voting in favor of it. At that time al parts and all parties of the North were decidedl opposed to it. This is shown by the resolution of Conventions and Legislatures, and the voice o the press. A Democratic organ uttered the genera sentiment, when it said, "rather than annexatio let there be an impassable gulf between Texas an the Union." The matter was taken into the Bal timore Convention, was inserted and announced a a part of the Democratic creed. Then there was change, a great and sudden change. A large portio of the party wheeled to cover their file leaders. W went into the canvass, the Whigs North an South against annexation, the Democrats Nort and South in favor of it. In New York there wa a small party which held the political balance o that State, when New York held the balance of th Union. If this is not clear, every one may see parallel in electing the Speaker of this House. I both cases the balance was so managed, by desig or accident, as to secure the triumph of the Dem ocrat and the slaveholder. We came out of tha canvass with fifty-eight electoral votes of the Nort for Mr. Clay, and one hundred and six for Mr. Polk. This was regarded as the popular decision. In the next Congress Texas was annexed, by al-

most a clear party vote throughout the Union. It will be seen, then, that so far as power is concerned, the gentleman from Maryland [Mr. McLane] is right in his boast, that it was done by Democratic power. But there is a question that lies farther back, who put that power in motion in that particular direction? Not northern men, certainly, nor southern men as a body, nor even as a majority, but it was done by men from the South, having for their avowed object the protection, if not the extension, of slavery. The war and acquisition are the acknowledged, as they were the foreseen results. This is the history, and it shows us who are responsible for the present crisis—who have brought upon us our present dangers—why it is that the waves are now dashing over us, while we are almost helplessly wallowing in the trough of the sea. If the tempest shall drive us to the cliffs, every survivor on every floating fragment of the wreck will curse the plan of annexation and the authors who brought it upon the country. Let those who have caused these perils of the Union now come forward and remove them; let them exorcise the spirit they have raised. They have the power in both branches of Congress—if they will use it for a just and honorable settlement of this controversy of their own creation, they will receive from a generous country not only oblivion of the past, but gratitude for the future.

An important element in the campaign of 1844, was the impression made at the North that if Texas came into the Union, at least one-half of her territory would be free, because the soil and climate were not fitted to sustain slavery. That was the burden of the press and the political orator. Among numerous authorities to prove it, no name was more frequently cited than the name of Henry Clay. But when Texas came in, covered all over with slavery, the people were disappointed because they had been duped. It was this that caused a revulsion of feeling, in a large portion, back to the original point. This will solve for my predecessor, [Mr. Savage,] what appeared to him a great mystery, that there should be such a vote for Mr. Polk in the North, with Texas as a test, and still the men who voted in Congress for annexation should be so unpopular. Those men saw what was coming, and the moment of leaving these halls, they fled for a city of refuge as if the avenger of blood was on their track, and they never halted till, panting and breathless, they stood under the same shelter with Dix and Niles.

One part of that territory was secured to freedom by the terms of annexation. "In such State 'or States as shall be formed out of said territory 'north of said Missouri compromise line, slavery 'or involuntary servitude (except for crime) shall 'be prohibited." That declaration is positive, unconditional; dependent neither on the assent of Texas, nor the people who shall form that State. Is there any possible way of avoiding that contract? The gentleman from Texas [Mr. Howard] seemed to have made the discovery. On the 22d January he made this declaration:

"The two Governments did not undertake to abolish slavery in any portion of Texas by the resolutions of annexation. It was an institution existing in the whole extent of Texas, and must so continue to exist, unless abolished by the State itself, or unless Texas shall consent to the formation of a new State entirely north of 36° 30′. If there is any portion of the new State south of that line, Texas has a right to insist upon its coming into the Union with slavery; and good faith to the South requires that she shall insist upon the terms of the compact. Sir, Texas will stand up to the South, on the question of southern rights, as one man. She will never consent, under the pretence of settling her boundary, that her rights as a southern State, under the resolutions of annexation, shall be impaired, by introducing within her limits the principle of free-soil where slavery is guarantied to her by the compact."

It is now settled how Texas will stand up to the *South*. Will the gentleman take some proper occasion to tell us how she will stand up to the *North*?

That is in keeping with an intimation given in the Senate, by Mr. Foote, just six days before, that no State would ever be formed out of that territory the "*whole* of whose territorial domain will be located north of the line of 36° 30′." All which being interpreted, means this: Whenever that part of Texas is formed into a State, it will be united with a portion of territory south of 36° 30′, and that part south of 36° 30′—though only a rood in width—will determine the character of the whole new State, making it a slave State. You have now almost the entire State of Missouri for slavery, north of 36° 30′. You design, contrary to an express contract, to have 5° 30′ of Texas, north of that line, for the same purpose. I now put it to the gentleman, if that is not the fair inference and the real meaning of his language? [Mr. Howard rose in his place and assented.] The gentleman assents. And I ask him to show me, in the whole history of this Government, such an instance of a violated compact. Texas voluntarily made that pledge; her own Representative now boldly declares that she does not mean to keep it. Can that gentleman, or any other approving such conduct, turn round and talk about "doing justice and standing by compromises?" The genius of Texas is prolific. That was the most original thought of this session, till it was eclipsed by the gentleman from Maryland, [Mr. McLane,] in regard to this District. He says, "if Congress shall abolish slavery in the District of Columbia, Maryland could resume her jurisdiction over the same; her courts, her processes, and her constables, are all at command, and even her militia." We had supposed that Congress had exclusive jurisdiction over this territory; but it seems that Maryland has reserved rights, which underlie all her cessions. This is certainly the most novel—to freemen the most insulting—doctrine of the session. It assumes that we are here the mere wards and tenants-at-will on the domain of Maryland. If we do not legislate according to her judgment, she is ready to spring upon us with all her civil and military power.

Put yourself on that doctrine before the people of this nation, and they will tell you that you stand on a slippery place, and the things that shall come on you make haste; that the inhabitants of this District will have their choice between their slavery and their capital. But let us return to Texas. There are two questions to be settled: has Texas a right to sell? and if so, do we wish to buy? I have examined with care, and I trust with candor, all the arguments of the eminent Representatives in the past and present Congress. I admit their ability and apparent sincerity. I must confess, at least, some lingering doubts as to the title of Texas to lands which she claims as against New Mexico. She cannot hold by any act of this Government. The resolutions of annexation were passed before the constitution of Texas was adopted, and, con-

sequently, before those expanded limits were authoritatively claimed. We suppose those resolutions admit as a State, that Texas which was a Mexican province. By those limits, as laid down by Humboldt, I am willing to abide. She claims according to Disturnell's map, because that map was appended to the treaty with Mexico. It was acknowledged, before a committee of Congress, by the publisher of that map, that the Texian boundaries were so arranged as to make it saleable in a Texas market. I do not wish to abide such authority. Texas cannot hold by any act of Mexico. It is asserted that a treaty was made with Santa Anna while he was a prisoner. The validity of that treaty depended on the after ratification of Mexico, which was never given. Texas may have been unjustly treated in the transaction, but that does not make her treaty good. She cannot expect to add to its force by showing that she has been outwitted and cheated by an acknowledged rascal. The capitulation of Bexar, and the testimony of a subaltern general, Filisola, and the Mexican Secretary of War, are good evidence to show that there was a compulsory consideration with Santa Anna. He was compelled to use that as a means of escape from the toils of his conqueror; but they prove nothing as to a consideration between Texas and Mexico. Suppose Burgoyne had promised, on consideration of getting out of the clutches of Gates, that the St. Lawrence should be the boundary between the United States and the British provinces, should you expect that promise to be kept? His master would have told him that he was sent out to fight, not to sell territory or settle boundaries. Mexico, with Roman sternness, declares that she sent her general to defend, and not betray the country; that she is not bound by his treaty, because she never gave him power to do that kind of business.

The great authority of Mr. Polk is brought to sanction the claim. I do not propose to balance it by the authority of another President believing exactly the reverse. There are many things in which the opinion of Mr. Polk would have great influence with me, some in which it would be final. This is not one of them. With the strictest integrity, which I cheerfully accord him, he had a strong bias to partial decision. Texas made him President, and he must have felt bound by gratitude to her. When that opinion was first expressed, it was for extending the territory of his own country against a foreign power. When he reaffirmed it, he had a still stronger motive. It was the only defence for the Mexican war. Take away that, and you leave him without apology for one of the greatest acts of injustice in modern history. In questions of this kind Mr. Polk does not carry the usual weight of his own great authority. When a man has made a "clear and unquestionable" mistake of five degrees and two-thirds, in a northwestern boundary, you must not quote him on me, to decide a point in southern geography.

My deliberate conviction is, that a good businessman would not buy a farm of mountain or desert land with no better title than Texas can give to that territory. But if the title is good, if she could bring a guarantee from the Creator of the world, why should we wish to purchase it? If it is really hers, let her keep it; if not, we do not wish to buy it. Certainly we cannot think of doing so with the amendment which the honorable member [Mr. HOWARD] has offered to this bill. That amendment proposes that the laws permitting slavery shall continue in force in that territory, till it shall be formed into a State. We have been often told, that we are not called to legislate for establishing slavery, but we have here one remarkable exception. We are asked not only to buy territory, but to take it under the incumbrance of slave law. If any man consents to vote for that purchase under those conditions, and has not dolts, or doughfaces for constituents, he had better weigh it well, whether that vote will not sign his own political death warrant. I cannot look upon the effort of Texas in any other light than a bluffing, browbeating game, to wrench that territory from a weaker neighbor. If we, by any act, consent to that usurpation, I trust we shall have sufficient self-respect forever to keep silence about the partition of Poland.

It is said we may as well take the land, for we are liable for the debts of Texas, because we have taken her commercial revenues which were pledged for the payment of these debts. That may be true, but did not Texas agree to raise that mortgage? Is she not bound in honor to do it? We gave her means enough and more than enough. This is shown by the resolution.

"Said State, when admitted into the Union, shall retain all the public funds, debts, taxes, and dues of every kind, which may be due and owing said republic; and shall also retain all the vacant and unappropriated lands lying within its limits, to be applied to the payment of the debts and liabilities of said Republic of Texas; and the residue of such lands after discharging said debts and liabilities to be disposed of as said State may direct; but *in no event are said debts and liabilities to become a charge upon the Government of the United States.*"

Other new States give up their lands to the General Government and pay their own debts. Texas derives her portion of the benefit from these, and retains all her own. It was assumed that they would more than pay her debts: she had the control of the "*residue.*" This was on condition that in "NO EVENT" should her debts and liabilities be a charge on the Government of the United States. We wish to hold her to that contract. Texas is reported as having *one hundred and eighty-four millions* of acres of vacant and unappropriated land. One of her honorable members [Mr. KAUFMAN] thinks that too high an estimate. Grant that it is so; reduce it as you please, there is still a large residue beyond the payment of her debt.

I object to the payment of that debt on account of its character. It is her revolutionary debt. We have not yet paid our own. The payment of that will be a standing invitation to revolt in the provinces of a neighboring Government, urging them to cut loose from their present connection and fight their way into this Union, and all their expenses will be paid. What other proof will be asked than that we have twice paid the revolutionary debt of Texas? I do not propose to offer any such premium on rebellion.

I have now called your attention to all the subjects in this bill. I have a few moments for a brief allusion to other subjects deemed proper for general discussion. Additional security is demanded for the recapture of fugitive slaves, because of alleged injustice and hostility at the North. Allow me to give you one cause not yet assigned, for the existence of that feeling. You may be startled when I tell you most decidedly that men from the South, in attempts to take those who are

not slaves, are more responsible than all others for its existence. Understand, that I do not charge this upon southern men as a body. I believe every man here, and ninety-nine-hundredths of your constituents would reprobate and punish it as severely as any one else. Still, there are men who seek to do it; and they have aroused that feeling. Some have doubted whether this is ever attempted; but does not every lawyer know that the existing law grew out of a case of this kind? In 1791, the Governor of Pennsylvania demanded of the Governor of Virginia the surrender of three men indicted in Pennsylvania for kidnapping a negro, and carrying him to Virginia. The demand was refused, and the matter was in controversy between those States and the General Government till it was settled by the passage of the present law, February 12, 1793. (*Peters's Rep., vol. 16, p. 561.*) Such cases have often occurred. An attempt of this kind has been made since we have been in session. It is reported in the Baltimore Sun, February 9. I believe it happened just at the time when an honorable member was giving us a severe lecture for the existence of northern prejudice.

"SUSPICION OF KIDNAPPING.—Wm. H. Lambdin, captain and owner of the schooner General Jackson, of Wilmington, Delaware, was brought before the Mayor, at Norfolk, on Wednesday, for having attempted to sell three free negroes, comprising the crew of his vessel. He sailed from Philadelphia last month, on an oyster expedition, as he alleged, and arrived at Norfolk on Tuesday. On his arrival he represented to the poor fellows that the popular prejudice there was very strong and the laws very strict against negroes from the North, and advised them to remain on board. He then came ashore and offered to sell them to several persons at a great sacrifice. Some of the persons applied to went on board the schooner to examine the negroes, who, on discovering the object of their visit, protested loudly against the right of ownership on the part of the captain, declaring that they were 'free gentlemen' from Philadelphia. These, in connection with several other suspicious circumstances, led to the arrest of Captain Lambdin, who was formally committed for further examination."

As a reasoning man, what do you expect will be the result of such attempts? Sir, a man appears in a northern city or town and claims as a slave one who is known to be free. He may, as in this case, be foiled in his design; or he may succeed, and carry his victim to slavery. In either case the tidings will be borne on the wings of the wind; the lightning will tell of it; and "the thunder, that deep and dreadful organ-pipe, will bass the *trespass* to the world." That negro may be a worthless creature, the scourge of the society which he infests, but he is a freeman. You may snatch a Girard or Astor, or a Lawrence from their hoarded wealth, and it will not create more excitement than when you have seized the lowest and meanest hireling in the land. His very misery

> "Will plead like angels trumpet-tongued against
> The deep damnation of his *taking off*."

The next month or the next year, another man appears in pursuit of a *real* fugitive. Who will show the distinction between the second and the first? The people will ask for northern security, a trial by jury. The provision of the Constitution and the laws stand now as they were made by our fathers. We have never asked for their repeal. I trust the bill (Mason's) first introduced and amended in the Senate will not be pressed. Such are present indications. It can do no good; it will be only "as the chaff of the mountain, and as a rolling thing before a whirlwind." If additional security is asked for the execution of that clause, we must insist on security for the execution of one other, that "the citizens of each State shall be entitled to all the privileges and immunities of the several States." (Art. 4, sec. 2.) When you haul up old Ironsides and careen her for corking, you must not apply all the labor to one side of her keel.

I cannot see why there should be such perpetual threats of dissolution over that subject, nor over any subject. I have no power in my commission for any such work. I presume it is so with others. Congress was in session when the Constitution and Union were formed, but the people did not trust Congress with that work, they selected another body of men for the business. If the people wish this Government dissolved, they will elect their own agents to execute their purpose. If we do not redeem our character, I doubt whether we shall have the appointment. Those threats of dissolution have lost their moral power by incessant repetition for thirty years. They have not been reserved for great occasions, but have been brought into service in every little sectional skirmish.

I rejoice that the free States have never made such threats. They have had provocation through the action of the Government against their own wishes. They have had it in the incessant and wasting changes of the tariff laws. They had it in the embargo which proved a paralysis of their whole commercial interests. The wrecks of that disastrous measure are floating over New England, settling down in pauper houses, on their way to pauper graves. The changes against the wishes of the North have sunk well-nigh enough money to buy all the negroes south of the line. We have perpetually yielded, and still hear the incessant cry of dissolution. The time may come when outworn patience will say, We have heard that long enough. Here are two brothers—the Siamese twins—held together by a bond of flesh. No human sagacity can foretell the result of a separation. It may be prosperity, or it may be instant death. The only security is in maintaining the union which Providence has ordained. In order to this, there must be brotherly kindness and charity; but the one is perpetually threatening to sunder the bond if his own behests are not obeyed. The time may come when self-respect will compel the taunted brother to say, I have never threatened you. I wish to live in union and harmony. I have never given you just provocation, and have no design to do it. If you are determined on dissolution, take the responsibility and bide your time. Take the responsibility of the act and the consequences of that act, and do it when you will, to-morrow or to-day, for if this is bravado, I have had enough; if threatening, I have had too much

I have heard with regret, the warlike language introduced into these debates. With entire respect to others, I must say, that whether coming from North or South, this seems out of place, and out of taste, for the free discussions of a free and peaceful Republic.

If the General Government shall make demands upon my people for any constitutional purpose, those drafts will be promptly honored. But as a *State*, Vermont makes no preparation for war. Swords are beaten into ploughshares. Agricultural fairs have taken the place of military-musters. She has disbanded even her militia.

When one of her members was placed on that committee, it raised a broad laugh all over the State—whether at the expense of the member or of our excellent Speaker, I have not been able exactly to determine. During this exciting session leading minds there have been holding a peace convention. This is in strong contrast, and I am not ashamed of it, with another State, (South Carolina,) where it is proposed to raise fifty thousand dollars to purchase arms and ammunition; or still another, (Mississippi,) where two hundred thousand dollars were to be set apart to meet a coming emergency. If the lightning should announce to the Legislature of Vermont that the Union was dissolved, what would they do? Would they resolve themselves into a military community and expend their money for arms and ammunition? No; not one dollar. They would not buy a musket, or flint, or percussion cap. They do not talk or think of fighting; and for the plain reason, that if they must fight, Green Mountain Boys can do that extempore, as they did at Ticonderoga, and Bennington, and Saratoga, and Plattsburg.

In the present Congress Vermont has been told to "keep her petitions at home, as she did her soldiers in the war of 1812." If it had been quite as convenient to use a fact instead of a sneer, it might have been stated that, according to population, Vermont had more men engaged in that war than any other State in the Union. It was in my own district that volunteers were suddenly summoned to the defence of their country. When Provost, with *fourteen thousand* men, came down upon a little band of *fourteen* hundred, it was his supposed design to pass into Vermont. At the close of day, couriers rode out to rouse the people along the western declivity of the mountains, and they shouted as they rode, The enemy are crossing the lake. The echo of that rallying-cry had hardly died on the hills before fathers and sons, risen and robed for war, came out of their dwellings, and through the darkness of night threaded their way to the scene of conflict. I need not recount the hurried flight of that British army before the impetuous, though undisciplined, valor of freemen. From whatever quarter our invaders may come, I trust the history of the past is a mirror of the future.

It has been also asserted in this Congress, and a New England paper has been quoted to prove it, that we did not duly honor the fallen hero of Chepultepec; but what are the facts? When the remains of Ransom were brought home, the adjutant general and one of her ablest clergymen were called to pronounce a sermon and eulogy over his remains. An immense concourse of people laid him in the grave with fitting honors. The Legislature recorded their high sense of his worth; they procured an elegant sword, and in joint Assembly presented it to his young son in the name of his State. Bear in mind, this was done by the *same Legislature* which declared the Mexican war begun and carried on without constitutional authority—a war needless, lawless, and graceless—a scheme "born in fraud and baptized in blood."

I wish I could indulge in the confident hope of others, that, when pending questions are settled, sectional agitation will cease. There are indications of a different intention, it may be that of a few. Cuban books so liberally laid upon our tables, the printing of Mexican maps, the aspirations—like those just uttered—for an ocean-bound republic, may be esteemed light things; but lightest things floating on the wind or wave are the surest index of the course of the current; and those things are signs to me significant of an ulterior design. I might have cherished a hope of quiet if the new State had been promptly admitted, as she ought to have been; but where shall I now found a hope, that when Utah and New Mexico shall present themselves with constitutions of their own creation, they shall not meet the same measure of actual and threatened resistance that is now applied to California?

A strange demand is made that the North should restrain the utterance of her peculiar sentiments. How does any propose that this shall be done? It could not be done under the muzzled press and the prying espionage, and the gleaming bayonets of an European despotism. It could not be done here in anything else. With the sudden transition of men and transmission of intelligence, try to confine local doctrines to a given locality; ordain that the principles of the Novum Organum or the Principia shall not pass or repass Mason and Dixon's line; that a knowledge of geology or theology, of physics or metaphysics shall not leap from bank to bank of the Ohio; that legal lore or legal quibbles shall not swim the Mississippi; that sectional notions of medical science or medical quackery shall instinctively stick on 36° 30′,—could you execute such an ordinance? How, then, do you expect to hem in by State lines the heaving waves of popular opinion on human rights and human freedom?

I wish we might duly appreciate the position in which we are placed. We are standing between generations of glory passed and ages of glory or shame yet to come. From far distant points of a great Republic we have met to consult for her welfare; for the first time the voices of the Atlantic and Pacific have met and mingled in one national counsel. Thus placed, we should trample in the dust, as beneath our aim, all efforts for mere party or sectional triumph, and legislate for the extended and enduring interests of a great and free people.

Printed at the Congressional Globe Office.